

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket 01052
(MBHB Case No. 03-913)

In the Application of:)	
)	
Michael James Justin et al.)	Group Art Unit 1743
)	
Serial No.: 10/695,038)	Examiner Nagpaul, J.
)	
Filed: October 28, 2003)	
)	
For: Carrier for Holding Test Samples)	

**PETITION UNDER 37 CFR §1.313(C)(2) FOR WITHDRAWAL FROM ISSUE
TO FILE AN RCE TO PERMIT CONSIDERATION
OF AN INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97**

Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

PETITION

1. Applicant hereby petitions for the withdrawal of this application from issue.

PATENT ISSUE FEE

2. The issue fee for this case was mailed to the US PTO on November 20, 2008. It is believed that this application is scheduled for issuance *on March 17, 2009* and therefore prompt action on this petition is requested.

REASONS FOR WITHDRAWAL REQUEST

3. The reason for withdrawal from issue is for consideration of an

information disclosure statement in a Request for Continued Examination. See 37 C.F.R. § 1.313(c)(2). The information disclosure statement discloses references cited in an office action from a Japanese counterpart application dated December 2, 2008.

FILING OF A REQUEST FOR CONTINUED EXAMINATION (RCE)

4. A Request for Continued Examination and Information Disclosure Statement accompanies this Petition.

5. PETITION FEES (37 C.F.R. § 1.17(h))

The petition fee set forth in § 1.17(h), required by 37 C.F.R. § 1.313(a) is paid as follows:

The petition fee is being paid electronically.

Authorization is hereby made to charge Deposit Account No. 50-0364 for any additional fees required by this paper or to credit any overpayment in the manner authorized above.

Respectfully submitted,

**McDonnell Boehnen
Hulbert & Berghoff LLP**

Dated: March 4, 2009

By:



Thomas A. Fairhall
Reg. No. 34591